



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:) Group Art Unit: 3736
Bo Chen et al.) Examiner: Eric Frank Winakur
)
Title: METHOD FOR SPECTROPHOTOMETRIC)
BLOOD OXYGENATION MONITORING)
)
Serial No.: 10/628,068)
)
Filed: July 24, 2003) Our Docket No. 5180-0002-1-1

Springfield, Massachusetts, October 25, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant(s) submits herewith Form PTO-1449 identifying patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Application Serial No.: 10/628,068

Docket No. 5180-0002-1-1

Under 37 CFR 1.97 (b)

☒ This Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under §1.114.

Under 37 CFR 1.97 (c)

☐ This Information Disclosure Statement is being filed *after* three months of the filing date of this national application, or the date of entry into the national stage as set forth in §1.491 in an international application, or after the mailing date of the first Office Action on the merits, whichever event occurred last, but *before* the mailing date of either a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.

☐ A certification as specified in 37 CFR 1.97(e) is set forth below, or

☐ Fee as set forth in 37 CFR 1.17(p) (\$180.00).

Under 37 CFR 1.97(d)

☐ This Information Disclosure Statement is being filed *after* a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee. Applicant hereby petitions for the consideration of this Information Disclosure Statement, 37 CFR 1.97(d)(ii). A certification as specified in 37 CFR 1.97(e) is set forth below.

☐ A certification as specified in 37 CFR 1.97(e) is set forth below, and

☐ Fee as set forth in 37 CFR 1.17(p) (\$180.00)

CERTIFICATION (37 CFR 1.97(e))

☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. A copy of the relevant search report is enclosed herewith.

☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

Application Serial No.: 10/628,068
Docket No. 5180-0002-1-1

Applicants respectfully request that any deficiencies in the fees be charged to Deposit
Order Account No. 50-3381.

Respectfully submitted,

By: Richard D. Getz
Richard D. Getz
Registration No. 36,147
O'Shea, Getz & Kosakowski, P.C.
1500 Main Street, Suite 912
Springfield, Massachusetts 01115
413-731-3100

FORM PTO-1449 O'SHEA, GETZ & KOSAKOWSKI, P.C.
(Rev. 5/92) 1500 Main Street, Suite 912
Springfield, MA 01115
Telephone: (413) 731-3100

ATTORNEY DOCKET NO.
5180-0002-1-1

SERIAL NO. 10/628,068

APPLICANT: Bo Chen et al.

GROUP: 3736

FILING DATE: July 24, 2003

EXAMINER: Eric Frank Winakur

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	3,638,640	2/1/1972	Shaw			
	B	3,674,008	7/4/1972	Johnson			
	C	4,570,638	2/18/1986	Stoddart et al.			
	D	4,725,147	2/16/1988	Stoddart			
	E	4,768,516	9/6/1988	Stoddart et al.			
	F	4,817,623	4/4/1989	Stoddart et al.			
	G	5,088,493	2/18/1992	Giannini et al.			
	H	5,139,025	8/18/1992	Lewis et al.			
	I	5,140,989	8/25/1992	Lewis et al.			
	J	5,153,669	10/6/1992	DeGroot			
	K	5,349,961	9/27/1994	Stoddart et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	L						
	M						
	N						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER INITIAL		
	O	
	P	

EXAMINER

DATE CONSIDERED

EXAMINER:

Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 . O'SHEA, GETZ & KOSAKOWSKI, P.C.
(Rev. 5/92) 1500 Main Street, Suite 912
Springfield, MA 01115
Telephone: (413) 731-3100

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	5,477,853	12/26/1995	Farkas et al.			
	B	5,542,421	8/6/1996	Erdman			
	C	5,803,909	9/8/1998	Maki et al.			
	D	5,853,370	12/29/1998	Chance et al.			
	E	5,987,351	11/16/1999	Chance			
	F	6,615,065	9/2/2003	Barrett et al.			
	G	20050119542	6/2/2005	Stoddart et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	H						
	I						
	J						
	K						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER INITIAL		
	L	
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	Q	

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October 25, 2005

METHOD FOR SPECTROPHOTOMETRIC BLOOD OXYGENATION
MONITORING

EXPRESS MAIL™ MAILING LABEL

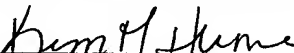
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